

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

3M COMPANY,

Plaintiff,

CASE NO. 03-2651 JRT/FLN

vs.

INTERTAPE POLYMER GROUP, INC.,
IPG (U.S.) HOLDINGS INC., IPG (U.S.)
INC. and CENTRAL PRODUCTS
COMPANY,

Defendants.

DEFENDANT'S EXHIBITS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

DEFENDANT'S EXHIBIT NUMBER 22

Reg. No. 2, ,916
Post Registration Section

#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reg. No.: 2,176,916

Mark: DESIGN ONLY (BLUE COLOR)

Applicant: 3M Company (Successor to Minnesota Mining and Manufacturing Company)

Office: Post Registration

REQUEST TO AMEND REGISTRATION

3M Company ("the Registrant"), successor to Minnesota Mining and Manufacturing Company through a merger and change of name recorded at Reel 2502, Frame 0547, is the current owner of U.S. Registration No. 2,176,916. The mark in the referenced registration "consists of the single color blue as applied to the entirety of the goods" and the goods are identified as "premium-quality masking tape." The Registrant hereby requests amendment of the description of the mark in the registration in accordance with Trademark Act § 7(e), 15 U.S.C. § 1057(e), and 37 C.F.R. § 2.173. ✓

01/22/2003 SWILSON: 00000058 502387 2176916

01 FC16214 100.00 CH

Amendment of the Description of the Mark

Specifically, the Registrant requests that the current description of the mark be deleted and the following inserted in its place:

THE MARK CONSISTS OF A PARTICULAR SHADE OF THE COLOR BLUE, SOMETIMES REFERRED TO AS MEDIUM BLUE, APPLIED TO THE ENTIRE SURFACE OF THE GOODS. THE DOTTED LINES MERELY INDICATE THE POSITION OF THE MARK ON THE GOODS AND DO NOT FORM PART OF THE MARK.

The amendment merely clarifies the current description of the mark by specifying the particular shade of blue covered by the registration. The shade identified in the amendment is the same shade of blue as the blue used in the specimens originally filed with the application, and thus the same shade of blue which the application and registration covered from the time of filing. The application, as filed, did not claim the color blue generally, but only the specific shade of blue represented in the specimen. Accordingly, the amended description of the mark is not materially different from the description now included in the registration. In fact, the amended description of the mark describes the same mark as the mark which was the subject of the application as filed. Therefore, it is not necessary to provide a new specimen because there has been no change to the mark. The undersigned confirms on behalf of the Registrant that the mark as evidenced in the original specimens is the same mark which is now in use. Furthermore, this request is entirely consistent with Trademark Manual of Examination Procedure §§ 807.09 (c) and (d) (2002) governing the description of color in marks in applications and registrations.

Reg. No. 2, 916
Post Registration Section

Certified Copy of Registration

In accordance with Trademark Rule 2.173, the Registrant is providing a certified copy of the registration with this request.

Fees

Please charge all fees related to this request to Deposit Account No. 50-2387.

Appointment of Attorneys

The Registrant hereby appoints the following attorneys to represent the Registrant for the purposes of this Request to Amend the Registration:

James T. Walsh and Roberta L. Horton
Arnold & Porter
555 12th Street, N.W.
Washington, D.C. 20004
(202) 942-5000.

Correspondence Address

Please address all correspondence related to this request to:

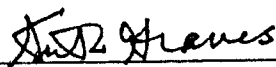
James T. Walsh
Arnold & Porter
555 12th Street, N.W.
Washington, D.C. 20004.


No copy of
certified registration
in the file.

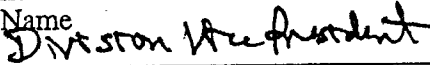
DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the registration, declares that he/she is properly authorized to execute this request on behalf of the Registrant and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted by,



Signature


Name


Title
of the 3M Company

Date: January 7, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Registration of
3M Company (Successor to Minnesota Mining
and Manufacturing Company)

Mark: (Design only)

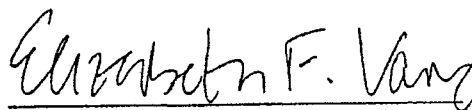
Registration No.: 2176916

CERTIFICATE OF MAILING

I hereby certify that the foregoing Request to Amend Registration and accompanying documents are being deposited with the United States Postal Service on January 16, 2003 as first class mail in an envelope addressed to:

U.S. Patent and Trademark Office
2900 Crystal Drive
Third Floor Finance Window
Arlington, VA 22202-3513

Attention: BOX POST REGISTRATION FEE



Elizabeth F. Vary
ARNOLD & PORTER

ARNOLD & PORTER

202.942.5000
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

January 16, 2003

VIA FIRST CLASS MAIL

U.S. Patent and Trademark Office
Box POST REGISTRATION FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Request to Amend Registration
Registrant: 3M Company (Successor to Minnesota Mining and Manufacturing Company)
Mark: (Design only)
Class: 17
Registration No.: 2176916

Dear Sir or Madam:

On behalf of 3M Company (Successor to Minnesota Mining and Manufacturing Company), I enclose the following materials for filing:

1. Request to Amend Registration
2. Two Deposit Account Order Forms
3. Stamped, self-addressed return postcard
4. Certificate of Mailing

When action is completed on this amendment, please forward a new Certificate of Registration reflecting the change.

Please charge any fees due in connection with the filing of these documents to Deposit Account No. 50-2387.

Should any questions arise regarding the filing of these documents, please contact the undersigned at (202) 942-6217.


Sincerely,



Elizabeth F. Vary

Enclosure

Washington, DC New York Los Angeles Century City Denver London Northern Virginia

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			FOR OFFICE USE ONLY	
DEPOSIT ACCOUNT ORDER FORM				
Name and Address of Depositor: Arnold & Porter 555 Twelfth Street, NW Washington, DC 20004-1202 Attention: Elizabeth F. Vary Office 1229-A (202) 942-6217				
Account Number: 50-2387	Date: January 16, 2003	Order No: 10605.009		
DESCRIPTION OF ARTICLES OR SERVICES TO BE FURNISHED				
Registrant: Manufacturing Company)			3M Company (Successor to Minnesota Mining and	
Mark:			(Design only)	
Registration Number:			2176916	
Class(es):			17	
Documents:			Request to Amend Registration, Certificate of Mailing	
Fee:			\$100.00	
			 Signature – Elizabeth F. Vary	

For prompt, accurate shipment, please complete the following mailing label

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
Washington, DC 20231

OFFICIAL BUSINESS

Return After Five Days

Order Number: 10605.900

To:

Elizabeth F. Vary
Arnold & Porter
555 Twelfth Street, NW
Washington, DC 20004-1202
(202) 942-6217

CORPORATION MINNESOTA 3M Center St. Paul MINNESOTA 551441000

(LAST LISTED OWNER) 3M COMPANY CORPORATION BY MERGER, BY
CHANGE OF NAME DELAWARE 3M CENTER 2501 HUDSON ROAD ST. PAUL
MINNESOTA 55144

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** JAMES T. WALSH

**Description of
Mark** The mark consists of a particular shade of the color blue, sometimes referred to as
medium blue, applied to the entire surface of the goods. The dotted lines merely
indicate the position of the mark on the goods and do not form part of the mark. The
drawing is lined for blue and color is claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL-2(F)

**Live/Dead
Indicator** LIVE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Electronic Search System(Tess)

TESS was last updated on Tue Feb 3 04:31:00 EST 2004

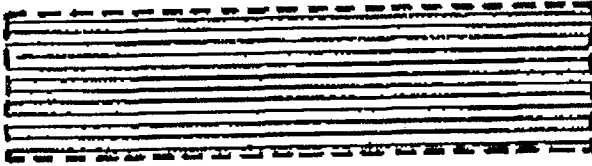
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Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

Check Status

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Goods and Services IC 017. US 001 005 012 013 035 050. G & S: premium-quality masking tape. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 261121 290203

Serial Number 75339125

Filing Date August 11, 1997

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition May 5, 1998

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 2176916

Registration Date July 28, 1998

Owner (REGISTRANT) Minnesota Mining and Manufacturing Company AKA 3M